

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

ORIGINAL

RICHARD A. McBRAYER,

Petitioner,

HUGH WOLFENBARGER,

Respondent.

CASE NO. ES 04-CV-73235-DT
HONORABLE LAWRENCE P. ZATKOFF
UNITED STATES DISTRICT JUDGE
HONORABLE JUDGE PEPE
UNITED STATES MAGISTRATE JUDGE

Notice of Filing Rule 5 Materials

TO: 235965 Richard A. McBrayer
Macomb Correctional Facility
34625 - 26 Mile Road
New Haven MI 48048

FILED
MAR 14 2005
CLERK'S OFFICE
DETROIT

PLEASE TAKE NOTICE that a copy of Rule 5 Material is being served upon the Clerk of the United States District Court for the Eastern District of Michigan, Southern Division, as set forth in the attached Index of Record.

Respectfully submitted,

MICHAEL A. COX
Attorney General



Brenda E. Turner (P24705)
Assistant Attorney General
Criminal Appellate Division
P.O. Box 30217
Lansing, MI 48909
(517) 373-4875

Dated: March 11, 2005

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Index of Record

1. Macomb County Circuit Court docket entries file number 93-2894-FC, *People v. Richard Allen McBrayer*.
2. Plea Transcript dated January 13, 1994.
3. Sentence Transcript dated March 2, 1994.
4. Michigan Court of Appeals file number 174683.
5. Michigan Supreme Court file number 104335.
6. Michigan Court of Appeals file number 204288.
7. Affidavit of Corbin R. Davis, Michigan Supreme Court Clerk dated February 8, 2005, regarding Michigan Court of Appeals file number 204288.

F I L E D
MAR 14 2005
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Proof of Service

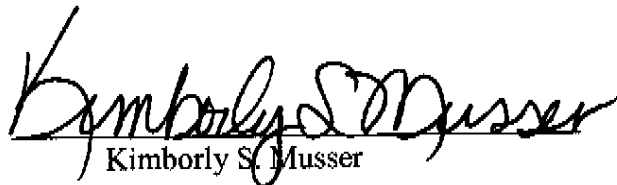
The undersigned certifies that on the date set forth below, she served a copy of the following papers:

1. Respondent's Notice of Filing Rule 5 Material;
2. Index of Record; and
3. Proof of Service.

upon:

235965 Richard A. McBrayer
Macomb Correctional Facility
34625 - 26 Mile Road
New Haven MI 48048

I declare under penalty of perjury that the foregoing is true and correct, executed on
March 11, 2005.


Kimborly S. Musser